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D. REMARKS

Status of the Claims

Claims 1-4, 6-10, 12-17, and 19-23 are currently present in the Application, and claims 1, 8, and 14 are independent claims. Claims 1-4, 6-10, 12-17, and 19-20 have been amended, claims 5, 11, and 18 have been cancelled, and claims 21-23 have been added.

Examiner Interview

Applicant notes with appreciation the telephonic interview conducted between Applicant's representative and the Examiner on August 22, 2005. During the telephonic interview, the Examiner and Applicant's representative discussed the 102 reference (Landsman et al., U.S. Patent No. 6,785,659). In particular, Applicant's representative discussed that Applicant's invention sends strip information elements to a remote device, and then sends downloadable content based upon a user selecting one of the strip information elements at the remote device. In contrast, Landsman automatically downloads content into a remote device, and then displays the downloaded content at the remote device when "click-streams" are detected. Applicant's representative suggested incorporating the limitations included in Applicant's original claim 5 into claim 1, and amending claim 1 such that Applicant distinctly claims that Applicant's invention downloads content to a remote device in response to a user selection. The Examiner stated that such amended appears to read over Landsman, and also suggested amending dependent claim 4 to include more details regarding Applicant's "lifecycle field." Applicant has included such amendments in this response.

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Drawings

Applicant notes that the Examiner did not indicate whether the formal drawings, filed with Applicant's application, are accepted by the Examiner. Applicant respectfully requests that the Examiner indicate whether the formal drawings are accepted in the next office communication.

Claim Rejections - Alleged Anticipation Under 35 U.S.C. § 102

Claims 1-20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Landsman et al. (U.S. Patent No. 6,785,659, hereinafter "Landsman"). Applicant respectfully traverses these rejections. Claims 5, 11, and 18 have been canceled, and their limitations have been incorporated into claims 1, 8, and 14, respectively.

The independent claims are directed to "selecting download content" with limitations comprising:

- sending a plurality of strip information elements to a remote device, wherein respective ones of the plurality of strip information elements describe downloadable content;
- receiving, in response to a user selection corresponding to one of the plurality of strip information elements at the remote device, a request from the remote device that corresponds to the selected strip information element;
- retrieving, in response to the request, downloadable content corresponding to the selected strip information element from a nonvolatile storage device; and
- sending the retrieved downloadable content to the remote device.

Applicant sends strip information elements from a server to a remote device. Each strip information element corresponds to a piece of downloadable content, such as a data file or a web

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page. The remote device receives the strip information elements, and a user selects one of the strip information elements to download corresponding content. In turn, the server receives a request to download the content, which the server downloads and provides to the remote device. Applicant's invention waits to receive a user request before sending downloaded content to the remote device in order to prevent unnecessarily sending data to the remote device, which consumes bandwidth. Applicant's independent claims, as amended, claim "receiving, in response to a user selection corresponding to one of the plurality of strip information elements at the remote device, a request from the remote device that corresponds to the selected strip information element." Applicant, in response to the request, claims "retrieving...and sending downloadable content that corresponds to the selected strip information element." Therefore, Applicant's invention only sends downloadable content requested by the user.

In contrast, however, Landsman never waits for a user selection to send downloadable content. In fact, Landsman teaches away from a user even knowing about content being downloaded because Landsman basically teaches how to provide unauthorized pop-up advertising on a user's remote device. Specifically, Landsman states:

"The invention relates to a technique...for implementing in a networked client-server environment, such as the Internet, networked-distributed advertising in which an advertisement is downloaded, from an advertising server to a web browser executing at a client computer, in a manner transparent to a user situated at the browser, and subsequently displayed, by that browser and on an interstitial basis, in response to a click-stream generated by the

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user to move from one web page to the next."
(col. 1, lines 23-22, emphasis added)

As can be seen from the above excerpt from Landsman, Landsman automatically downloads content to a remote device, regardless of a user's request to download data. Once downloaded, Landsman monitors the user's click stream (switching web pages), and displays one of the downloaded advertisements after a click-stream.

The Office Action, in rejecting Applicant's limitation of the request being in response to a user action (original claim 5), states that Landsman teaches a user initiating a download by opening a browser and a user click stream. Landsman does initiate a download when the user opens a web browser, which downloads all advertising files onto the remote device. Landsman, however, does not wait until a user selects a strip information element before downloading content as claimed by Applicants. Specifically, Landsman states:

"In particular, as part of the operations symbolized by block 70, the AdController applet determines which files...do not reside on the hard disk of client PC 5. Once it has made that determination, this applet issues a request...to agent server 15 to fetch a first one of these files... The agent server, in turn...downloads this particular file to client browser 7 for storage in the browser disk cache. Downloading of advertisement files continues in this manner until...a last required file for the advertisement has been downloaded... As the advertisement files for a common advertisement are being downloaded, the Transition Sensor applet also monitors...a click-stream produced by the current user so as to detect a user-initiated page transition. Once such a transition occurs...a interstitial interval starts, [and] the

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AdController applet plays... a fully cached advertisement." (col. 22, lines 21-48, emphasis added)

As can be seen from the above section of Landsman, as well as the above discussion, Landsman never teaches or suggests "receiving, in response to a user selecting one of the plurality of strip information elements at the remote device, a request from the remote device that corresponds to the selected strip information element." Therefore, since Landsman does not teach or suggest all the elements of Applicant's claim 1 as amended, amended claim 1 is allowable over Landsman. Claim 8 as amended is an information handling system claim including similar limitations of claim 1 and, therefore, is allowable for the same reason as claim 1. Claim 14 as amended is a computer program product claim including similar limitations of claim 1 and, therefore, is allowable for the same reason as claim 1.

Notwithstanding the fact that claim 4 is dependent upon claim 1 and, therefore, allowable for at least the same reasons as claim 1 is allowable, claim 4 further adds limitations to claim 1 of:

- wherein the selected strip information element includes a lifecycle field that indicates whether the retrieved downloadable content is storable after the displaying;
- determining, based upon the lifecycle field, whether the retrieved downloadable content is storable after the displaying; and
- storing the retrieved downloadable content on a nonvolatile storage device at the remote device in response to determining that the retrieved downloadable content is storable.

Applicant includes a lifecycle field in each strip information element that signifies whether a user may store downloadable content on a storage area once the user views the

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information. For example, due to intellectual property rights limitations, this field could be set up to a value that prevents storing the retrieved information that contains intellectual property, but allows the user to store information that does not contain intellectual property. Applicant's claim 4 claims "determining, based upon the lifecycle field, whether the retrieved downloadable content is storable" and "storing the retrieved downloadable content on a nonvolatile storage device..."

In contrast, Landsman never determines whether downloadable content is storable, but rather automatically stores the downloadable content at the remote device. Landsman determines which advertisement files have not been previously downloaded, and then automatically downloads those identified files. Landsman never determines if the downloadable content is storable based upon a lifecycle field as claimed by Applicant. Specifically, the section of Landsman cited by the Examiner to reject Applicant's claim 4 states:

"Ad controller applet using manifest in ad descriptor file, determines all media and content files non-resident at client PC and "politely" downloads these files into browser cache on local hard disk." (Figure 1A, block 70)

As can be seen from above, Landsman never teaches or suggests determining, based upon a lifecycle field, whether downloadable content is storable after the displaying, and storing the downloadable content in response to the determination as claimed by Applicant.

Therefore, since Landsman does not teach or suggest, in whole or in part, all the limitations included in Applicant's claim 4 as amended, amended claim 4 is allowable over Landsman. Claim 10 as amended is an information handling system claim

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including similar limitations of claim 4 and, therefore, is allowable for the same reason as claim 4. Claim 17 as amended is a computer program product claim including similar limitations of claim 4 and, therefore, is allowable for the same reason as claim 4.

Each of the remaining claims 2-3, 6-7, 9, 12-13, 15-16 and 19-20 each depend, directly or indirectly, on one of the allowable independent claims 1, 8, and 14. Therefore, claims 2-3, 6-7, 9, 12-13, 15-16 and 19-20 are also allowable for at least the same reasons that their respective independent claims are allowable.

New Claims

Claims 21-23 have been added, which depend upon claims 1, 8, and 14 respectively. Therefore, claims 21-23 are also allowable for at least the same reasons that their respective independent claims are allowable.

Conclusion

As a result of the foregoing, it is asserted by Applicant that the remaining claims in the Application are in condition for allowance, and Applicant respectfully requests an early allowance of such claims.

Applicant respectfully requests that the Examiner contact the Applicant's attorney listed below if the Examiner believes

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that such a discussion would be helpful in resolving any remaining questions or issues related to this Application.

Respectfully submitted,

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